

**WEDNESDAY, JANUARY 28, 1998**

**FIFTY-EIGHTH LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative McAfee.

Representative McAfee led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

Present.....95

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bone, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Vacant, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Bittle; business reasons

Representative Fitzhugh; personal reasons

Representative Williams; business reasons

**COMMUNICATION**

Speaker Naifeh read the following communication and directed that it be spread upon the journal:

January 28, 1998

The Honorable Jimmy Naifeh  
Speaker of the House  
19 Legislative Plaza  
Nashville, TN 37243

Dear Speaker Naifeh:

Because of the untimely death of Senate Carl Koella, Jr., the Blount County Commission in called session on January 27, 1998, appointed me to fill the unexpired term of Senate Koella according to the Tennessee Code.

I hereby resign my position as representative of the 8th District effective January 28, 1998 at 3:00 p.m.

Sincerely,

Bill Clabough

#### SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 845:** Rep(s). Cross as prime sponsor(s).

**House Bill No. 1130:** Rep(s). Turner(Shelby), J. DeBerry, Jones(Shelby), Langster, Tindell, Brown, Ridgeway, Patton, Miller, Odom, S. Jones, Fraley, Fitzhugh and West as prime sponsor(s).

**House Bill No. 2583:** Rep(s). Hargett, Arriola, Boner, Godsey, Fraley, Patton, Wood, Armstrong, Rhinehart, L. DeBerry, Bird and West as prime sponsor(s).

**House Bill No. 2657:** Rep(s). S. Jones as prime sponsor(s).

#### SPONSORS REMOVED

On motion, Rep(s). Walley was/were removed as sponsor(s) of **House Bill No. 2553**.

#### MESSAGE FROM THE SENATE January 27, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 376, 377 and 378; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**WEDNESDAY, JANUARY 28, 1998 -- FIFTY-EIGHTH LEGISLATIVE DAY**

**Senate Joint Resolution No. 376** -- Memorials, Sports - Peyton Manning. by \*Gilbert, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 377** -- Memorials, Death - Johnny Fandrich, Jr. by \*Cooper.

**Senate Joint Resolution No. 378** -- Memorials, Professional Achievement - Chattanooga Bar Association, 100th Anniversary. by \*Fowler, \*Crutchfield, \*Kyle.

**MESSAGE FROM THE SENATE**

**January 27, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 365, 366, 368, 371, 372, 373, 374, 375 and 383; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**January 27, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2071; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 2071** -- Statutes - Codifies public acts of 1997. by \*Wilder, \*Person, \*Rochelle.

**ENROLLED BILLS**

**January 27, 1998**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 424, 425, 428, 429, 430, 431, 432, 433, 434, 435, 438, 439, 441, 449 and 450.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**January 27, 1998**

The Speaker signed the following: House Joint Resolution(s) No(s). 424, 425, 428, 429, 430, 431, 432, 433, 434, 435, 438, 439, 441, 449 and 450

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS  
January 27, 1998**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 2036 and 2049.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
January 27, 1998**

The Speaker signed the following: House Bill(s) No(s). 2036 and 2049.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
January 27, 1998**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2036 and 2049; both signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK  
January 27, 1998**

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 2036 and 2049.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
January 27, 1998**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 365, 366, 368, 371, 372, 373, 374, 375 and 383.

**MESSAGE FROM THE SENATE  
January 28, 1998**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 424, 425, 428, 429, 430, 431, 432, 433, 434, 435, 438, 439, 441, 449 and 450; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.



**REPORT OF CHIEF ENGROSSING CLERK**  
**January 28, 1998**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 424, 425, 428, 429, 430, 431, 432, 433, 434, 435, 438, 439, 441, 449 and 450.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**January 28, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 400; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 400** -- Memorials, Personal Occasion - Mrs. Eva Karstaedt, 100th birthday. by \*Fowler, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L., \*Dixon, \*Elsea, \*Ford J., \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J., \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Joint Resolution No. 466** -- Memorials, Government Officials - Requests state board of education to implement TCA 49-50-201 relative to community education programs. by \*Cooper B, \*Jones U (Shelby), \*DeBerry J, \*Miller L, \*Brooks, \*Turner (Shelby).

Education Committee

**\*House Joint Resolution No. 467** -- Memorials, Government Officials - Requests state board of education to study development of guidelines for classroom visitation by parents and others. by \*Cooper B, \*Brooks, \*Miller L, \*Towns, \*Turner (Shelby), \*Pruitt, \*Armstrong, \*Jones U (Shelby), \*DeBerry J, \*Bowers.

Education Committee

**\*House Joint Resolution No. 468** -- Memorials, Congress - Requests action to be taken to have language in U.S. Constitution, Article I, Section 2, relating to formula for apportioning seats in house of representatives edited from future printings of constitution. by \*Cooper B, \*Brooks, \*Miller L, \*Turner (Shelby), \*Pruitt, \*Armstrong, \*Jones U (Shelby), \*Bowers.

Judiciary Committee

**\*House Joint Resolution No. 472** -- General Assembly, Directed Studies - Directs department of environment and conservation to conduct feasibility study to create new park management unit from certain state properties along Harpeth River. by \*Williams (Williamson).

Conservation & Environment Committee

**\*House Joint Resolution No. 476** -- General Assembly, Studies - Creates special joint committee to study implementation and effects of state's "zero tolerance" policy. by \*Brown, \*Bowers, \*Cross.

Education Committee

**\*House Joint Resolution No. 477** -- General Assembly, Studies - Creates special joint committee to study bail bond system. by \*Brown, \*Bowers.

Judiciary Committee

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for January 29, 1998:

**House Resolution No. 139** -- Memorials, Recognition and Thanks - Whitehaven Baptist Church, Memphis, 150th anniversary. by \*Scroggs.

**House Resolution No. 140** -- Memorials, Retirement - Reverend James F. Marquis, Jr. by \*Turner (Hamilton), \*Eckles, \*Tidwell, \*McAfee, \*Stulce, \*Wood, \*Sharp.

**House Joint Resolution No. 474** -- Memorials, Retirement - William Collin Hand, Department of Correction. by \*Sands.

**House Joint Resolution No. 475** -- Memorials, Death - William Clifford Parsons, Sr. by \*Sands.

**House Joint Resolution No. 478** -- Memorials, Death - Frank Freeman Sowell. by \*Sands.

**House Joint Resolution No. 479** -- Memorials, Sports - 1997 Riverdale High School football team, TSSAA, Division 1, Class 5-A state champion. by \*Eckles, \*Beavers, \*Hood.

**House Joint Resolution No. 480** -- Memorials, Professional Achievement - Dr. James King, Tennessee Academy of Family Physicians 1997 Family Practice Physician of the Year. by \*Rinks.

**House Joint Resolution No. 482** -- Memorials, Sports - Brentwood High School girls soccer team, TSSAA Class AAA State Champions for 1997. by \*Sargent.

**House Joint Resolution No. 483** -- Memorials, Sports - 1997-1998 Brentwood High School cheerleaders. by \*Sargent.

**House Joint Resolution No. 485** -- Memorials, Professional Achievement - Dr. Gregory D. Jordan, 21st President, King College, Bristol. by \*Mumpower.

### **SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for January 29, 1998:

**Senate Joint Resolution No. 376** -- Memorials, Sports - Peyton Manning. by \*Gilbert, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 377** -- Memorials, Death - Johnny Fandrich, Jr. by \*Cooper.

**Senate Joint Resolution No. 378** -- Memorials, Professional Achievement - Chattanooga Bar Association, 100th Anniversary. by \*Fowler, \*Crutchfield, \*Kyle.

### **INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 2624** -- Contractors - Enacts "Licensing of Home Inspectors Act." Amends TCA Title 62. by \*Stamps.

**House Bill No. 2625** -- Taxes, Sales - Reallocates revenue from catalog sales taxed by local government from ratio of collections versus total collections to per capita distribution. Amends TCA Title 67, Chapter 6, Part 7. by \*Stamps.

**House Bill No. 2626** -- Local Education Agency - Allows LEAs to charge tuition for all programs outside the minimum 180 instructional days, unless state funds cost of such instruction. Amends TCA Section 49-6-3003. by \*Stamps.

**House Bill No. 2627** -- Judges and Chancellors - Creates new circuit court judge position in 18th judicial district to be filled by election at the August 1998 general election. Amends TCA Title 2, Chapter 13 and Section 16-2-506. by \*Stamps.

**House Bill No. 2628** -- Safety - Specifies that state fire marshal and certified county building inspectors have sole authority over inspection of construction and renovation of public buildings. Amends TCA Title 68, Chapter 120. by \*Stamps.

**House Bill No. 2629** -- Purchasing - Authorizes counties under County Purchasing Law of 1957 to purchase items on open market after receiving bids if open market price is less than bid price and to use open bids rather than sealed bids if summary of all bids received is posted publicly and on Internet. Amends TCA Title 5; Section 5-14-108; Title 6; Title 7; Title 12; Section 49-2-203; Section 54-9-210; Section 54-7-113 and Section 54-9-209. by \*Stamps.

**House Bill No. 2630** -- Juries and Jurors - Increases daily allowance for board and lodging of juror from \$18.00 to \$27.00; appropriates sum sufficient for state to fund jury sequestration expenses Amends TCA Title 22, Chapter 4. by \*Stamps.

**House Bill No. 2631** -- Bond Issues - Authorizes issuance of bonds in amount not to exceed \$30 million for betterment of buildings and facilities at T.O. Fuller State Park. by \*Cooper B, \*Brooks, \*Miller L, \*Turner (Shelby), \*Pruitt, \*Armstrong, \*Langster, \*Jones U (Shelby), \*Bowers.

**House Bill No. 2632** -- Education - Permits corporal punishment by parent or guardian in lieu of suspension except for possession of firearm, knife, or off campus criminal behavior which results in felony charge. Amends TCA Title 49, Chapter 6, Part 34. by \*Cooper B, \*Jones U (Shelby), \*Armstrong, \*Towns, \*Miller L, \*Pruitt, \*Langster, \*DeBerry J, \*Turner (Shelby).

**House Bill No. 2633** -- Private Protective Services - Revises defenses to carrying weapon for purpose of going armed to provide that person carrying club/baton have defense if have in possession certification card issued by department of commerce and insurance, stating that such person has had training by certified trainer/instructor in use of club/baton. Amends TCA Section 39-17-1308. by \*West.

**House Bill No. 2634** -- Private Protective Services - Specifies how certified security officers/guards should respond to criminal offenses and to incidents of domestic violence. Amends TCA Section 36-3-619. by \*West.

**House Bill No. 2635** -- Firearms and Ammunition - Prohibits possession of firearms in establishment whose primary or sole product is sale of alcoholic beverages. Amends TCA Section 39-17-1305. by \*West.

**House Bill No. 2636** -- Alcoholic Beverages - Prohibits carrying of firearms in public establishments in which more than 50 percent of gross sales are derived from sale of alcoholic beverages. Amends TCA Section 39-17-1305. by \*West.

**House Bill No. 2637** -- Firearms and Ammunition - Clarifies that prohibition relative to carrying weapons on public parks and playgrounds does not apply to firearms carried pursuant to concealed carry permit. Amends TCA Section 39-17-1311. by \*West.

**House Bill No. 2638** -- Firearms and Ammunition - Authorizes employees of institutions of higher education to carry firearms on campus under certain circumstances. Amends TCA Title 39, Chapter 17. by \*West.

**House Bill No. 2639** -- Firearms and Ammunition - Specifies notice to be given prohibiting weapons from being carried on certain premises. Amends TCA Section 39-17-1359. by \*West.

**House Bill No. 2640** -- Firearms and Ammunition - Clarifies that permit to carry firearm not defense to illegal possession or carrying of firearm under applicable hunting and fishing laws. Amends TCA Title 39, Chapter 17, Part 13. by \*West.

**House Bill No. 2641** -- Private Protective Services - Authorizes retired law enforcement officers in good standing to become private security officers/guards while background checks pending. Amends TCA Section 62-35-107. by \*West.

**House Bill No. 2642** -- Metropolitan Government - Requires employee of public utility operated by metropolitan government to be appointed to board of such public utility. Amends TCA Title 7, Chapter 1, Part 1. by \*West.

**House Bill No. 2643** -- Victims Rights - Authorizes under certain circumstances use of deadly force against persons committing offenses of rape, murder, robbery, burglary or carjacking. Amends TCA Section 39-11-621. by \*West.

**House Bill No. 2644** -- Motor Vehicles - Requires entities which repossess motor vehicles to notify local law enforcement within 48 hours of seizure and provide certain information. Amends TCA Title 55. by \*West.

**House Bill No. 2645** -- Juries and Jurors - Sets compensation for jurors in Davidson County at \$25.00 per day. Amends TCA Title 22, Chapter 4, Part 1. by \*West.

**House Bill No. 2646** -- Private Protective Services - Specifies that law enforcement officers and certified security officers/guards exposed to bodily fluids during arrest may have such bodily fluids tested for hepatitis B virus and HIV virus; the person arrested to pay for such testing. Amends TCA Section 68-10-116. by \*West.

**House Bill No. 2647** -- Workers' Compensation - Requires instate insurance adjuster; limits claims per adjuster to 150; carrier is subject to civil penalty for violation Amends TCA Title 50, Chapter 6. by \*West.

**House Bill No. 2648** -- Private Protective Services - Revises training requirements for private security officers/guards. Amends TCA Title 62, Chapter 35, Part 1. by \*West.

**House Bill No. 2649** -- Unemployment Compensation - Increases trust fund balances used to determine reserve ratio for premium rate requirements Amends TCA 50-7-403(g). by \*West.

**House Bill No. 2650** -- Polygraph - Revises minimum instrumentation requirements used to detect deception to include measurable psychological stress factors. Amends TCA Section 62-27-103. by \*West.

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**House Bill No. 2651** -- Unemployment Compensation - Authorizes calculation of alternate moveable base year. Amends TCA Title 50, Chapter 7. by \*Jones, S..

**House Bill No. 2652** -- Health - Requires portion of funding in health access incentive account be used to create initiative through county health departments to provide prevention and treatment services to low-income pregnant substance abusers and domestic abuse victims living in health resource shortage areas. Amends TCA Title 36, Chapter 3, Part 6; Title 66, Chapter 29; Section 67-4-411; Title 68, Chapter 24, Part 1 and Title 71, Chapter 6, Part 2. by \*Pruitt.

**House Bill No. 2653** -- Medicine, Practice of - Makes determinations of medical necessity or appropriateness of proposed care to constitute practice of medicine. Amends TCA Title 56 and Title 63, Chapter 6. by \*Caldwell.

**House Bill No. 2654** -- Taxes, Real Property - Exempts from property taxation property owned by joint public/private 501(c)(3) corporations while being developed for industrial use. Amends TCA Title 67, Chapter 5, Part 2. by \*Caldwell.

**House Bill No. 2655** -- Taxes, Real Property - Increases income threshold for elderly tax relief program. Amends TCA Title 67, Chapter 5, Part 7. by \*Wood.

**House Bill No. 2656** -- Public Records - Allows court clerk upon judge's order to destroy discovery materials, cost bonds, and other temporary trial records three years after final disposition. Amends TCA Title 10, Chapter 7 and Title 18, Chapter 1. by \*Hargrove.

**House Bill No. 2657** -- DUI/DWI Offenses - Makes fourth DUI conviction Class E felony. Amends TCA Title 55, Chapter 10, Part 4. by \*Godsey, \*Walley, \*Cole (Carter), \*Kent, \*Pinion, \*Ridgeway, \*Garrett, \*Jackson, \*Ford S, \*Stamps, \*McDaniel, \*Hargrove, \*Wood, \*Chumney, \*Bowers, \*Gunnels, \*Whitson, \*Miller L, \*Boyer, \*Mumpower, \*DeBerry J, \*Givens, \*Kerr, \*Clabough, \*Hargett, \*Hassell, \*Scroggs, \*Pleasant, \*Haley, \*Cole (Dyer), \*Walker, \*DeBerry L, \*Rhinehart, \*Kernell, \*Turner (Hamilton), \*Goins, \*Bird, \*Sargent, \*Roach, \*Curtiss, \*Beavers, \*West, \*Burchett, \*McAfee, \*Hood, \*Hicks, \*Phelan, \*McKee, \*Tindell, \*Windle, \*Fitzhugh, \*Maddox, \*Jones, S..

**House Bill No. 2658** -- Workers' Compensation - Applies reduction of gross premium taxes to workers' compensation pool. Amends TCA Section 56-4-210. by \*Cole (Dyer).

**House Bill No. 2659** -- Financial Disclosure - Places campaign financial disclosure reports for certain offices on Internet; removes candidate notification requirement if report viewed. Amends TCA Section 2-10-111 and Section 2-10-206. by \*Hargett.

**House Bill No. 2660** -- Water Pollution - Applies discharge permit requirements to concentrated animal feeding operations; defines "concentrated animal feeding operations." Amends TCA Title 69, Chapter 3, Part 1. by \*McDonald, \*Davidson.

**House Bill No. 2661** -- Credit Cards - Deems retail charge agreement to be signed if application or agreement signed or if charge account used by retail buyer or person authorized by buyer so long as retail buyer has received Truth-in-Lending disclosures and seller has extended credit for transaction. Amends TCA Section 47-11-104. by \*Williams (Williamson).

**House Bill No. 2662** -- General Assembly - Permits notice to members of written reports by state agencies rather than delivery of actual report. Amends TCA Title 3, Chapter 1. by \*Williams (Williamson).

**House Bill No. 2663** -- Contractors - Requires eight hours of continuing education for residential contractors. Amends TCA Title 62, Chapter 6, Part 1. by \*Williams (Williamson).

**House Bill No. 2664** -- Credit Cards - Deems retail charge agreement to be signed if application or agreement signed or if charge account used by retail buyer or person authorized by buyer so long as retail buyer has received Truth-in-Lending disclosures and seller has extended credit for transaction. Amends TCA Section 47-11-104. by \*Williams (Williamson).

**\*House Bill No. 2665** -- Financial Disclosure - Requires registry of election finance to place campaign financial disclosure reports on Internet. Amends TCA Title 2, Chapter 10. by \*Williams (Williamson).

**House Bill No. 2666** -- Anatomical Gifts - Authorizes special procedures and interstate reciprocal agreements concerning donation of vascular organs. Amends TCA Title 68, Chapter 30, Part 1. by \*Williams (Williamson).

**House Bill No. 2667** -- Environment and Conservation, Department of - Revises membership of Tennessee commission of Indian affairs. Amends TCA Title 4, Chapter 34. by \*Williams (Williamson).

**House Bill No. 2668** -- Workers' Compensation - Excludes construction on structure for personal use from being considered as engaged in construction industry for purpose of coverage under Workers' Compensation Act. Amends TCA Section 50-6-113. by \*Williams (Williamson).

**House Bill No. 2669** -- Federal Aid - Requires all applications for federal funds and all federal grant applications to be posted on Internet at least ten days prior to submission; sets out notice requirements; requires notification of substantive changes in existing funding or grants to be posted on Internet. by \*Halteman Harwell, \*Haley, \*Goins, \*Wood, \*Beavers, \*Hassell, \*Boyer, \*Mumpower, \*Godsey, \*Burchett.

**House Bill No. 2670** -- Licenses - Enacts "Electricians' Licensing Act of 1998." Amends TCA Title 62. by \*Cross, \*Odom.

**House Bill No. 2671** -- Correctional Programs - Authorizes inmates to provide assistance to indigent aged persons upon request of nonprofit agency familiar with such indigent aged persons. Amends TCA Section 41-2-148. by \*Garrett, \*Boner, \*Arriola, \*Jones, S., \*West, \*Pruitt, \*Halteman Harwell, \*Robinson, \*Langster, \*Odom.

**House Bill No. 2672** -- Juries and Jurors - Authorizes county legislative body to increase compensation paid to jurors, such compensation not to exceed \$40.00 per day. Amends TCA Title 22, Chapter 4. by \*Garrett, \*Boner, \*Arriola, \*Jones, S., \*West, \*Pruitt, \*Halteman Harwell, \*Robinson, \*Langster, \*Odom.

**House Bill No. 2673** -- Alcoholic Beverages - Permits beer container sizes of 10 to 17 ounces, 22 or 40 ounces or one gallon or more. - Repeals TCA Section 57-5-112. by \*McAfee, \*Turner (Hamilton).

**House Bill No. 2674** -- Marriage - Imposes three day waiting period after issuance of marriage license before couple can be married. Amends TCA Section 36-3-104. by \*Patton, \*Boyer, \*Pruitt, \*Beavers, \*Godsey.

**House Bill No. 2675** -- Game and Fish Laws - Creates lifetime sportsman license and wildlife management fund to be partially funded by lifetime sportsman license fee. Amends TCA Title 70, Chapter 1 and Section 70-2-201. by \*Bittle, \*Cross, \*Tidwell, \*Fraleigh, \*Davis R, \*Jackson, \*Huskey, \*McDaniel, \*Burchett, \*Newton, \*Westmoreland, \*Maddox, \*Gunnels, \*Fitzhugh, \*McKee, \*Rinks, \*Boyer.

**House Bill No. 2676** -- Corporations - Allows for-profit corporation in existence on 1/1/88, to convert to nonprofit public benefit corporation if corporation filed restated charter with secretary of state on or before 1/1/96, reciting that it is nonprofit public benefit corporation. Amends TCA Section 48-27-101. by \*Robinson, \*West, \*Jones, S., \*Garrett, \*Boner, \*Halteman Harwell, \*Pruitt, \*Odom, \*Langster, \*Arriola, \*Hood.

**House Bill No. 2677** -- State Prisoners - Provides that inmate serving felony sentence in local jail or workhouse receives sentence reduction credits at same rate and in same manner as inmates serving in department of correction facility rather than at local jail rate and in local jail manner. Amends TCA Title 41. by \*Boner.

**House Bill No. 2678** -- Knox County - Subject to local approval, adds exemption to amusement tax in Knox County. Amends Chapter 82 of the Private Acts of 1991. by \*Burchett, \*Kerr, \*Ritchie, \*Armstrong, \*Dunn, \*Boyer, \*Bittle.

**House Bill No. 2679** -- Criminal Offenses - Increases from Class C to Class A misdemeanor punishment for offense of failing to stop upon approaching school bus; imposes mandatory \$250 fine for first such offense and \$250-2,500 fine for subsequent offenses. Amends TCA Section 55-8-151. by \*Langster, \*Halteman Harwell, \*Pruitt, \*Jones, S., \*Arriola, \*Ferguson, \*DeBerry L, \*Jones U (Shelby), \*Garrett, \*Armstrong.

**House Bill No. 2680** -- Election Laws - Requires each committee or candidate for state office to list occupation and employer of each individual contributor. Amends TCA Section 2-10-107(a)(2)(A)(i), and 107(c)(1)(B). by \*Boner.

**House Bill No. 2681** -- General Services, Dept. of - Makes authorized donees under federal surplus property program eligible for state surplus property. Amends TCA Section 12-2-403 and Section 12-4-207. by \*Boyer.



**House Bill No. 2682** -- Appeal and Review - Removes option for filing judicial appeal of state board of equalization decisions in Davidson County; requires appeal in county where assessment was made. Amends TCA Section 67-5-1511(b). by \*Phelan, \*Cole (Carter).

**House Bill No. 2683** -- Fiduciaries - Revises requirements which must be met by fiduciaries in filing accountings with court. Amends TCA Section 30-2-601, Section 34-5-111 and Section 34-11-111. by \*Fowlkes, \*Phelan, \*Hood.

**House Bill No. 2684** -- Motor Vehicles, Titling and Registration - Changes method of perfecting security interests in motor vehicles. Amends TCA Title 55. by \*Rhinehart, \*Phelan, \*Hood.

**House Bill No. 2685** -- Insurance, Health, Accident - Exempts out-of-state master group subscription contract transactions from prohibition relative to dental service plans. Amends TCA Title 56. by \*Rhinehart.

**House Bill No. 2686** -- Professions and Occupations - Prohibits person with prior felony record from installing, modifying or servicing burglar alarm system. Amends TCA Title 62, Chapter 32. by \*Rhinehart.

**House Bill No. 2687** -- Taxes - Raises privilege and excise exemption from tax to include business with less than \$10,000 per year in total value of sales from \$3,000 level. Amends TCA Title 67. by \*Rhinehart.

**House Bill No. 2688** -- Taxes, Sales - Clarifies that leases of farm equipment between subsidiary and parent companies are tax exempt. Amends TCA Section 67-6-207. by \*Rhinehart.

**House Bill No. 2689** -- Hospitals and Health Care Facilities - Makes certain changes to nursing home certificate of need provisions. Amends TCA Title 68, Chapter 11. by \*Rhinehart.

**House Bill No. 2690** -- Pensions and Retirement Benefits - Removes requirement that governor approve extension of service until age 65 for members of highway patrol. Amends TCA Title 4, Chapter 7 and Title 8, Chapter 36, Part 2. by \*Rhinehart.

**House Bill No. 2691** -- Pensions and Retirement Benefits - Increases mandatory retirement age of members of highway patrol from age 60 to 62. Amends TCA Title 4, Chapter 7 and Title 8, Chapter 36, Part 2. by \*Rhinehart.

**House Bill No. 2692** -- Business and Commerce - Reduces from 30 to 15 number of days in which new employee of alarm contractor with access to sensitive information must furnish information to board for background checks. Amends TCA Title 62, Chapter 32, Part 3. by \*Rhinehart.

**House Bill No. 2693** -- Insurance, Health, Accident - Increases from 30 to 60 days period of time for appeal to commissioner on disputes between dental service plan corporations and dentists. Amends TCA Title 56, Chapter 30. by \*Rhinehart.

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**House Bill No. 2694** -- Judges and Chancellors - Increases from 4 to 5 percent maximum percentage by which general sessions judges' salaries may be adjusted for inflation. Amends TCA Title 16, Chapter 15, Part 50. by \*Rhinehart.

**House Bill No. 2695** -- Taxes, Privilege - Increases, from \$2,500 to \$5,000, threshold amount for exemption from business tax by blind persons. Amends TCA Title 67, Chapter 4. by \*Rhinehart.

**House Bill No. 2696** -- Utilities, Utility Districts - Increases from \$5,000 to \$7,500 threshold amount of gross receipts from intrastate commerce which triggers fee for inspection, control and supervision of public utilities by TRA. Amends TCA Title 65 and Title 67. by \*Rhinehart.

**House Bill No. 2697** -- Taxes, Personal Property - Increases time period for taxpayer notice of assessment of tangible personal property after failure to file schedule from five to 15 days. Amends TCA Title 67, Chapter 5, Part 9. by \*Rhinehart.

**House Bill No. 2698** -- State Government - Directs comptroller of the treasury and commissioner of finance and administration to jointly promulgate rules to promote and encourage high degree of public scrutiny and accountability for privatization contractors. Amends TCA Title 8, Chapter 4. by \*Brown, \*Brooks, \*Bowers.

**House Bill No. 2699** -- General Assembly - Exempts from ban on fundraising during regular annual session, solicitation and acceptance of contributions used exclusively to defray expenses associated with conducting constituent "day-on-the-hill" educational programs at state capitol complex. Amends TCA Section 2-10-310. by \*Brown, \*Cross.

**\*House Bill No. 2700** -- State Government - Creates commission on equitable opportunity in state government. Amends TCA Title 4, Chapter 1, Part 4. by \*Brown.

**\*House Bill No. 2701** -- Custody and Support - Establishes standards for court to use to determine whether custodial parent may relocate with child. Amends TCA Title 36, Chapter 6. by \*Bowers, \*Patton.

**House Bill No. 2702** -- Custody and Support - Sets standards for custodial parent proposing to relocate with child. Amends TCA Title 36, Chapter 6, Part 1. by \*Bowers, \*McMillan.

**House Bill No. 2703** -- Taxes, Sales - Deletes sales tax exemption for hospitals; allocates revenue from tax on hospitals to teaching hospitals for indigent care provided at such hospitals based on amount of indigent care delivered during previous fiscal year. Amends TCA Title 67, Chapter 6. by \*Bowers.

**House Bill No. 2704** -- Alcoholic Beverages - Repeals 1997 authorization for sale of beer containers in any size; authorizes containers of 22 and 40 ounces and one gallon or more. Amends TCA Section 57-6-104(i). Repeals TCA Section 57-5-112. by \*Bone.

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**House Bill No. 2705** -- Safety, Dept. of - Authorizes commissioner of personnel to determine classification and compensation of driver license personnel. Amends TCA Title 4, Chapter 7. by \*Haley.

**House Bill No. 2706** -- Taxes, Sales - Exempts Ruritan Clubs from sales tax. Amends TCA Title 67, Chapter 6, Part 3. by \*Givens.

**House Bill No. 2707** -- Elkton - Subject to local approval, increases terms of aldermen from two to four year staggered terms; revises term of office of mayor from two to four years. Amends Chapter 296 of the Private Acts of 1972. by \*Fowlkes.

**House Bill No. 2708** -- Business Organizations - Permits limited liability company (LLC) to contract with another LLC. Amends TCA Title 48, Chapters 201 through 248. by \*West.

**House Bill No. 2709** -- Highway Signs - "Admiral Frank B. Kelso Highway," S.R. 50, Lincoln County. by \*Phillips.

**House Bill No. 2710** -- DUI/DWI Offenses - Makes ratio for distribution of vehicle forfeiture funds 50-50 between local and state government rather than 30-70; appropriates \$100,000 to department of safety. Amends TCA Title 40, Chapter 33, Part 2 and Title 55, Chapter 50, Part 5. by \*Hargrove.

**House Bill No. 2711** -- Education, Higher - Establishes Joe L. Evins Appalachian Center for Crafts at Tennessee Technological University. Amends TCA Title 49, Chapter 8. by \*Hargrove.

**House Bill No. 2712** -- Hazardous Materials - Provides for new permitting system for transporters of hazardous wastes. Amends TCA Title 68, Chapter 212. by \*Odom.

**House Bill No. 2713** -- Chiropractors - Authorizes officers of board and hearing officer, arbitrator or mediator, if any, to administer oaths and upon probable cause, issue subpoenas for attendance of witnesses and production of documents and records. Amends TCA Section 63-4-115. by \*Odom.

**House Bill No. 2714** -- Tobacco, Tobacco Products - Enacts "Local Government Empowerment Act of 1998," by removing state's preemption of field concerning regulation of use of tobacco products and allowing local governmental entities to regulate use of such product for the health and welfare of its citizens. Amends TCA Title 39, Chapter 17, Part 15. by \*Odom.

**House Bill No. 2715** -- Boards and Commissions - Requires persons who install or repair medical gas piping to be certified by the board for licensing health care facilities. Amends TCA Title 68, Chapter 11, Part 2. by \*Odom, \*Windle, \*Williams (Williamson).

**House Bill No. 2716** -- Medicine, Practice of - Defines that use of out-of-state diagnostic medical modality to diagnose and treat Tennessee patients is practice of medicine. Amends TCA Title 63. by \*Odom.

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**House Bill No. 2717** -- Uniform Commercial Code - Requires security agreements and financing statements relative to crops and timber to contain USDA, Farm Services Agency farm serial numbers (if any) in order to be enforceable. Amends TCA Section 47-9-203 and Section 47-9-402. by \*Fitzhugh.

**House Bill No. 2718** -- Privacy, Confidentiality - Allows name, address and other identifying information concerning health care patient to be used in directory unless patient objects. Amends TCA Title 68, Chapter 11, Part 15. by \*Eckles.

**House Bill No. 2719** -- Child Abuse - Revises law on custody determinations in cases involving child abuse. Amends TCA Title 36, Chapter 6, Part 1. by \*Bowers, \*Miller L, \*DeBerry J, \*Pruitt, \*Jones U (Shelby), \*Langster.

**House Bill No. 2720** -- Business and Commerce - Enacts "Tennessee Minority and Women Business Enterprise Act of 1998." Amends TCA Title 54. by \*Bowers, \*DeBerry J, \*Jones U (Shelby), \*Towns, \*Turner (Shelby), \*Miller L, \*Brown, \*Jones, S., \*Pruitt, \*Langster.

**House Bill No. 2721** -- Consumer Protection - Enacts "Tennessee Pay Telephone Consumers' Equity Act of 1998." by \*Ritchie.

**House Bill No. 2722** -- Workers' Compensation - Gives certain small employers one time 10 percent discount on workers' compensation insurance if employer has had no on-the-job injury resulting in payment of indemnity or medical payments for three consecutive years; requires department of commerce and insurance to promulgate plan. Amends TCA Title 50, Chapter 6, Part 4. by \*Kisber, \*McDaniel, \*McKee, \*Rinks, \*Cole (Dyer), \*Burchett, \*Newton, \*Halteman Harwell.

**House Bill No. 2723** -- Utilities, Utility Districts - Applies underground utility damage prevention provisions to Cheatham, Robertson and Montgomery counties; increases penalty for violations. Amends TCA Title 65, Chapter 31, Part 1. by \*Haley.

**House Bill No. 2724** -- Utilities, Utility Districts - Applies underground utility damage prevention provisions to Cheatham, Robertson and Montgomery counties; increase penalty for violations. Amends TCA Section 65-31-106; Section 65-31-107 and Section 65-31-112. by \*Haley.

**\*House Bill No. 2725** -- Liens - Expands requirement for police department to notify lienholder when vehicle taken into custody, to also require any law enforcement agency to notify lienholder when vehicle taken into custody and transferred to garagekeeper or towing firm. Amends TCA Title 40; Title 53; Title 55 and Title 66. by \*Sharp.

**House Bill No. 2726** -- Taxes, Personal Property - Provides that personal property valued at \$5,000 or less deemed to have no value for property tax; placing monetary limit on value may impliedly alter present law which places no value on all other tangible personal property not public utility or industrial and commercial property; allows assessor to back assess or reassess. Amends TCA Section 67-5-903. by \*White.

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**House Bill No. 2727** -- Insurance, Health, Accident - Requires health care insurers using participating providers to develop procedures for continuity of care in certain circumstances. Amends TCA Title 56. by \*Eckles, \*Jones, S..

**\*House Bill No. 2728** -- Telecommunications - Protects telecommunications service consumers from excessive charges by local providers in absence of effective competition. Amends TCA Section 65-5-209. by \*Head.

**House Bill No. 2729** -- Financial Disclosure - Requires registry of election finance to place campaign financial disclosure reports on Internet. Amends TCA Title 2, Chapter 10. by \*Head.

**House Bill No. 2730** -- Public Records - Makes investigative records of internal affairs division of county jail or workhouse confidential in same manner as same type of records are confidential in departments of correction and children's services. Amends TCA Title 10, Chapter 7. by \*Odom.

**\*House Bill No. 2731** -- Bail, Bail Bonds - Requires bondsman to be registered contract private security officer; establishes other requirements for professional bondsmen. Amends TCA Title 40, Chapter 11, Part 3 and Title 40, Chapter 11, Part 1. by \*Scroggs.

**House Bill No. 2732** -- Tort Liability - Provides that cause of action for child, whose death was caused by wrongful act or omission of another, does not pass to child's parents if child had been legally surrendered or abandoned by them pursuant to any court order removing child from their custody. Amends TCA Section 20-5-106. by \*Scroggs.

**House Bill No. 2733** -- Paternity - Deletes requirement that birthing institution must send copy of acknowledgment of paternity to Title IV-D child support agency where mother resides, if mother or child receiving public assistance. Amends TCA Section 68-3-302. by \*Scroggs.

**House Bill No. 2734** -- Juvenile Offenders - Establishes public location curfew in Shelby County from 12:00 midnight until 5:00 a.m. for minors not accompanied by parent or guardian. Amends TCA Title 37, Chapter 10. by \*Scroggs.

**House Bill No. 2735** -- Sunset Laws - Repeals 9/1/98 sunset date on special workers' compensation appeals panel. - Repeals TCA Section 50-6-225(e)(7). by \*Scroggs.

**House Bill No. 2736** -- Courts, General Sessions - Conforms, except for awarding of attorney fees, procedure for appointing substitute judge in general sessions or juvenile court to procedure for appointment of substitute judges in trial level courts. Amends TCA Title 16, Chapter 15 and Title 17, Chapter 2. by \*Scroggs.

**House Bill No. 2737** -- Taxes - Creates revenue source for state park maintenance. Amends TCA Section 67-4-409. by \*Rinks, \*McAfee.

**House Bill No. 2738** -- Emergency Communications Districts - Specifies that naming of streets and roads and assigning of property numbers by county legislative body are discretionary, planning functions not giving rise to tort liability. Amends TCA Title 7, Chapter 86, by \*Rinks.

**House Bill No. 2739** -- Taxes - Establishes manner of distribution for situs based taxes in new municipal incorporations. Amends TCA Title 6, Chapter 1, Part 2; Title 6, Chapter 18, Part 1; Title 6, Chapter 30, Part 1. by \*Rinks.

**House Bill No. 2740** -- Telecommunications - Exempts local exchange service provider with less than 100,000 access lines from paying into small and minority business assessment fund. Amends TCA Title 65, Chapter 4 and 5. by \*Rinks.

**House Bill No. 2741** -- Surveyors - Exempts surveyors and engineers who are 65 or over from continuing education requirements. Amends TCA Title 62. by \*Rinks.

**House Bill No. 2742** -- Landlord and Tenant - Subjects tenants covered by Uniform Residential Landlord and Tenant Act to termination of tenancy provisions applying to other leases for illegal drug activity on premises. Amends TCA Title 29, Chapter 18 and Title 66. by \*Rinks.

**House Bill No. 2743** -- Cemeteries - Requires that cemetery fees be staggered based on number of burials. Amends TCA Title 46, Chapter 1. by \*Rinks.

**House Bill No. 2744** -- Motor Vehicles, Titling and Registration - Requires name of motor vehicle owner be stated to reflect legal ownership interest in vehicle; requires update of information to be obtained upon vehicle license renewal. Amends TCA Section 55-4-102. by \*Rinks.

**House Bill No. 2745** -- Tennessee Regulatory Authority - Increases from one year to two years period of time during which employment with regulated entity is prohibited by former directors of TRA. Amends TCA Title 65. by \*Rinks.

**House Bill No. 2746** -- Utilities, Utility Districts - Authorizes municipally operated electric plants to provide cable service, Internet service, video transmission and programming, and other such services within corporate limits of such municipality or, with the consent of another municipality, within its corporate limits. Amends TCA Title 7, Chapter 52, Part 4. by \*Rinks.

**House Bill No. 2747** -- Taxes, Gasoline, Petroleum Products - Revises distribution of federal highway trust funds if federal government makes changes to formula for distribution of moneys. Amends TCA Section 67-3-1306. by \*Rinks.

**House Bill No. 2748** -- Teachers - Authorizes superintendent to advertise for, interview, and hire new personnel and transfer existing personnel in accordance with board policies, applicable law, and locally negotiated agreements. Amends TCA Section 49-2-301(f). by \*McMillan, \*Maddox, \*Davidson.

**House Bill No. 2749** -- Trademarks and Trade Names - Redefines "trademark" to include names, emblems or insignias of the "United States Olympic Committee" or "International Olympic Committee." Amends TCA Title 47, Chapter 25. by \*Hargett.

**House Bill No. 2750** -- Teachers - Requires employment, transfer, suspension, non-renewal, and dismissal of all school personnel to be in accordance with budget, applicable law, board policies and local negotiated agreements. Amends TCA Section 49-2-301(f) and Section 49-5-510. by \*McMillan, \*Maddox, \*Davidson.

**\*House Bill No. 2751** -- Highway Signs - "Bishop G.E. Patterson Bridge," I-40 over Wolf River, Memphis. by \*DeBerry L, \*Bowers.

**House Bill No. 2752** -- Fiscal Review Committee - Establishes division in fiscal review committee to monitor, analyze and manage certain federal grant activities and information. Amends TCA Title 3, Chapter 7. by \*DeBerry L, \*Bowers.

**House Bill No. 2753** -- Alcoholic Beverages - Defines "beer" as malt beverage obtained by fermentation of barley, malt and hops; redefines any other malt beverage product as alcoholic beverage. Amends TCA Title 57, Chapter 5; Sections 57-3-101 and 57-3-103. by \*DeBerry L, \*Bowers.

**House Bill No. 2754** -- Traffic Safety - Requires regulated passenger vehicles designed for more than 15 passengers to require each passenger to be seated in seat. Amends TCA Title 55, Chapter 8. by \*Curtiss.

**House Bill No. 2755** -- Hamilton County - Subject to local approval, permits chancellors and clerk and master to establish timing and method of case assignment rather than present monthly assignment process. Amends Chapter 201 of the Public Acts of 1955. by \*Turner (Hamilton).

**House Bill No. 2756** -- Urban Affairs - Defines "blighted" or "deteriorated" property. Amends TCA Title 13, Chapter 20 and Title 13, Chapter 21. by \*DeBerry J.

**House Bill No. 2757** -- Criminal Offenses - Adds new penalties concerning chop shops. Amends TCA Title 55, Chapter 5, Part 108. by \*DeBerry J.

**House Bill No. 2758** -- Custody and Support - Sets out parental responsibilities of father of child of minor mother if father is at least eight years older than mother. Amends TCA Title 36, Chapter 36, Part 2 and Section 36-5-102. by \*DeBerry J.

**House Bill No. 2759** -- District Attorneys - Provides that when district attorney general brings proceeding to terminate tenancy of occupant of premises because premises being used for drug violations, landlord must pay all labor force costs of eviction not to exceed \$200 per eviction. Amends TCA Section 66-7-107. by \*DeBerry J.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 2071** -- Statutes - Codifies public acts of 1997. by \*Wilder, \*Person, \*Rochelle.

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 2420** -- Local Government, General -- Caption Bill Held on House Desk

**\*House Bill No. 2421** -- Financial Disclosure -- House State & Local Government Committee

**\*House Bill No. 2422** -- Home Improvement Contractors -- House Government Operations Committee

**House Bill No. 2423** -- State Employees -- House State & Local Government Committee

**\*House Bill No. 2424** -- Education -- House Government Operations Committee

**House Bill No. 2425** -- Penal and Reformatory Institutions -- House State & Local Government Committee

**House Bill No. 2426** -- Municipal Government -- House State & Local Government Committee

**\*House Bill No. 2427** -- Schools, Private and Charter -- House Government Operations Committee

**\*House Bill No. 2428** -- Education -- House Education Committee

**\*House Bill No. 2429** -- Trade Regulation -- House Commerce Committee

**\*House Bill No. 2430** -- Housing -- House State & Local Government Committee

**\*House Bill No. 2431** -- Criminal Offenses -- House Judiciary Committee

**\*House Bill No. 2432** -- Board of Regents -- House Education Committee

**House Bill No. 2433** -- Drugs -- House Judiciary Committee



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**\*House Bill No. 2434** -- Highway Signs -- House Transportation Committee

**\*House Bill No. 2435** -- Health -- House Government Operations Committee

**\*House Bill No. 2436** -- Sentencing -- House Judiciary Committee

**\*House Bill No. 2437** -- Utilities, Utility Districts -- House State & Local Government Committee

**\*House Bill No. 2438** -- Alcoholic Beverages -- House State & Local Government Committee

**\*House Bill No. 2439** -- Hospitals and Health Care Facilities -- Caption Bill Held on House Desk

**\*House Bill No. 2440** -- Highway Signs -- House Transportation Committee

**House Bill No. 2441** -- Pensions and Retirement Benefits -- House State & Local Government Committee

**\*House Bill No. 2442** -- Regional Authorities -- House State & Local Government Committee

**\*House Bill No. 2443** -- Salaries and Benefits -- House State & Local Government Committee

**\*House Bill No. 2444** -- Taxes, Inheritance Gift -- House Finance, Ways & Means Committee

**\*House Bill No. 2445** -- Workers' Compensation -- House Consumer & Employees Affairs Committee

**\*House Bill No. 2446** -- Liens -- House Commerce Committee

**\*House Bill No. 2447** -- Driver Licenses -- House Transportation Committee

**House Bill No. 2448** -- Zoning -- House State & Local Government Committee

**House Bill No. 2449** -- Economic and Community Development -- House State & Local Government Committee

**House Bill No. 2450** -- Coon Dog Laws -- House Agriculture Committee

**\*House Bill No. 2452** -- Uniform Commercial Code -- House Judiciary Committee

**\*House Bill No. 2453** -- Secretary of State -- House Finance, Ways & Means Committee

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**\*House Bill No. 2454** -- Boards and Commissions -- House Commerce Committee

**\*House Bill No. 2455** -- Emergency Communications Districts -- House State & Local Government Committee

**\*House Bill No. 2456** -- Firefighters -- House Transportation Committee

**\*House Bill No. 2457** -- TennCare -- House Commerce Committee

**\*House Bill No. 2458** -- Managed Care Organizations -- House Commerce Committee

**\*House Bill No. 2459** -- Taxes, Income -- House Finance, Ways & Means Committee

**\*House Bill No. 2460** -- Employees, Employers -- House Commerce Committee

**\*House Bill No. 2461** -- Firearms and Ammunition -- House Judiciary Committee

**\*House Bill No. 2462** -- Water Pollution -- House Conservation & Environment Committee

**House Bill No. 2463** -- Motor Vehicles, Titling and Registration -- Caption Bill Held on House Desk

**\*House Bill No. 2464** -- Local Government, General -- House State & Local Government Committee

**\*House Bill No. 2465** -- School Transportation -- House Education Committee

**\*House Bill No. 2466** -- Local Government, General -- House State & Local Government Committee

**House Bill No. 2467** -- Motor Vehicles -- House Commerce Committee

**House Bill No. 2468** -- Criminal Procedure -- House Judiciary Committee

**\*House Bill No. 2469** -- Driver Licenses -- House Transportation Committee

**\*House Bill No. 2470** -- Motor Vehicles -- House Finance, Ways & Means Committee

**House Bill No. 2471** -- Pensions and Retirement Benefits -- House Finance, Ways & Means Comm

**House Bill No. 2472** -- Consumer Protection -- House Commerce Committee

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**House Bill No. 2473** -- Consumer Protection -- House Consumer & Employees Affairs Committee

**\*House Bill No. 2474** -- Nurses, Nursing -- House Education Committee

**\*House Bill No. 2475** -- Physicians and Surgeons -- House Health & Human Resources Committee

**\*House Bill No. 2476** -- DUI/DWI Offenses -- House Judiciary Committee

**\*House Bill No. 2477** -- DUI/DWI Offenses -- House Judiciary Committee

**\*House Bill No. 2478** -- Election Laws -- House State & Local Government Committee

**House Bill No. 2479** -- Insurance, Health, Accident -- House Commerce Committee

**\*House Bill No. 2480** -- Election Laws -- House State & Local Government Committee

**House Bill No. 2481** -- Veterinarians -- House Agriculture Committee

**House Bill No. 2482** -- Children, Employment of -- House Consumer & Employees Affairs Committee

**\*House Bill No. 2483** -- Lands, Public -- House Finance, Ways & Means Committee

**House Bill No. 2484** -- Taxes, Inheritance Gift -- House Finance, Ways & Means Committee

**House Bill No. 2485** -- Mental Illness -- Caption Bill Held on House Desk

**\*House Bill No. 2486** -- Game and Fish Laws -- House Conservation & Environment Committee

**House Bill No. 2487** -- Education -- House Education Committee

**House Bill No. 2488** -- Taxes, Sales -- House Finance, Ways & Means Committee

**House Bill No. 2489** -- Local Education Agency -- House Education Committee

**\*House Bill No. 2490** -- DUI/DWI Offenses -- House Judiciary Committee

**\*House Bill No. 2491** -- Pharmacy -- Caption Bill Held on House Desk

**House Bill No. 2492** -- Driver Licenses -- House Transportation Committee

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**House Bill No. 2493** -- Annexation -- House State & Local Government Committee

**\*House Bill No. 2494** -- School Transportation -- House Education Committee

**House Bill No. 2495** -- Bail, Bail Bonds -- House Judiciary Committee

**House Bill No. 2496** -- Education, Higher -- House Education Committee

**\*House Bill No. 2497** -- Child Abuse -- House Children and Family Affairs Committee

**\*House Bill No. 2498** -- Health -- House Health & Human Resources Committee

**\*House Bill No. 2499** -- General Assembly, Directed Studies -- House Health & Human Resources Committee

**\*House Bill No. 2500** -- Taxes, Privilege -- House Finance, Ways & Means Committee

**House Bill No. 2501** -- Business and Commerce -- House Consumer & Employees Affairs Committee

**\*House Bill No. 2502** -- Medical Occupations -- House Government Operations Committee

**\*House Bill No. 2503** -- Local Education Agency -- House Education Committee

**\*House Bill No. 2504** -- Correction, Dept. of -- House State & Local Government Committee

**House Bill No. 2505** -- Education -- House Judiciary Committee

**\*House Bill No. 2506** -- County Boundaries -- House State & Local Government Committee

**House Bill No. 2507** -- Taxes, Alcoholic Beverages -- House State & Local Government Committee

**\*House Bill No. 2508** -- Consumer Protection -- House Consumer & Employees Affairs Committee

**\*House Bill No. 2509** -- Regional Authorities -- House State & Local Government Committee

**\*House Bill No. 2510** -- TennCare -- House Commerce Committee

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**\*House Bill No. 2511** -- Tennessee Wildlife Resources Agency -- House Conservation & Environment Committee

**\*House Bill No. 2512** -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee

**\*House Bill No. 2513** -- Emergency Communications Districts -- House Health & Human Resources Committee

**\*House Bill No. 2514** -- Adoption -- House Children & Family Affairs Committee

**\*House Bill No. 2515** -- Marriage -- House Children and Family Affairs Committee

**\*House Bill No. 2516** -- Landlord and Tenant -- House Commerce Committee

**\*House Bill No. 2517** -- Juvenile Offenders -- House Children & Family Affairs Committee

**\*House Bill No. 2518** -- Domestic Violence -- House Children and Family Affairs Committee

**\*House Bill No. 2519** -- Custody and Support -- House Children and Family Affairs Committee

**\*House Bill No. 2520** -- Custody and Support -- House Children and Family Affairs Committee

**\*House Bill No. 2521** -- Motor Vehicles, Titling and Registration -- Caption Bill Held on House Desk

**\*House Bill No. 2522** -- Food and Food Products -- House Commerce Committee

**\*House Bill No. 2523** -- Telecommunications -- House State & Local Government Committee

**\*House Bill No. 2524** -- Hotels and Restaurants -- House Health & Human Resources Committee

**\*House Bill No. 2525** -- Driver Licenses -- House Judiciary Committee

**\*House Bill No. 2526** -- Bankruptcy -- House Judiciary Committee

**House Bill No. 2527** -- Medical Occupations -- House Government Operations Committee

**\*House Bill No. 2528** -- Custody and Support -- House Children and Family Affairs Committee

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**House Bill No. 2529** -- Managed Care Organizations -- Caption Bill Held on House Desk

**House Bill No. 2530** -- Civil Procedure -- House Commerce Committee

**House Bill No. 2531** -- Mental Illness -- House Government Operations Committee

**\*House Bill No. 2532** -- Election Laws -- House State & Local Government Committee

**\*House Bill No. 2533** -- Loan Companies -- House Commerce Committee

**\*House Bill No. 2534** -- Utilities, Utility Districts -- House State & Local Government Committee

**\*House Bill No. 2535** -- Zoning -- House State & Local Government Committee

**\*House Bill No. 2536** -- School Transportation -- House Education Committee

**\*House Bill No. 2537** -- Lobbying, Lobbyists -- House State & Local Government Committee

**\*House Bill No. 2538** -- General Assembly -- House State & Local Government Committee

**House Bill No. 2539** -- Sunset Laws -- Caption Bill Held on House Desk

**House Bill No. 2540** -- Administrative Procedure -- House Government Operations Committee

**House Bill No. 2541** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 2542** -- Custody and Support -- House Children and Family Affairs Committee

**\*House Bill No. 2543** -- Education -- House Education Committee

**\*House Bill No. 2544** -- State Government -- House Government Operations Committee

**\*House Bill No. 2545** -- Basic Education Program (BEP) -- House Education Committee

**\*House Bill No. 2546** -- Game and Fish Laws -- House Conservation & Environment Committee

**\*House Bill No. 2547** -- Mental Illness -- House Commerce Committee

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**House Bill No. 2548** -- Taxes, Real Property -- House State & Local Government Committee

**\*House Bill No. 2549** -- Motor Vehicles -- House Commerce Committee

**House Bill No. 2550** -- Natural Disaster -- House Government Operations Committee

**House Bill No. 2551** -- Railroads -- House Transportation Committee

**House Bill No. 2552** -- Contractors -- House Commerce Committee

**\*House Bill No. 2553** -- Schools, Private and Charter -- House Government Operations Committee

**House Bill No. 2554** -- Taxes -- House Finance, Ways & Means Committee

**House Bill No. 2555** -- Uniform Commercial Code -- House Judiciary Committee

**House Bill No. 2556** -- Uniform Commercial Code -- House Judiciary Committee

**\*House Bill No. 2557** -- Alcoholic Offenses -- House State & Local Government Committee

**\*House Bill No. 2558** -- Alcoholic Offenses -- House State & Local Government Committee

**\*House Bill No. 2559** -- Sexual Offenses -- House Judiciary Committee

**\*House Bill No. 2560** -- Sexual Offenses -- House Judiciary Committee

**\*House Bill No. 2561** -- Tennessee Bureau of Investigation -- House Judiciary Committee

**\*House Bill No. 2562** -- Parks, Natural Areas Preservation -- House Conservation & Environment Committee

**\*House Bill No. 2563** -- Sexual Offenses -- House Judiciary Committee

**\*House Bill No. 2564** -- Hospitals and Health Care Facilities -- Caption Bill Held on House Desk

**\*House Bill No. 2565** -- Education -- Caption Bill Held on House Desk

**\*House Bill No. 2566** -- Firearms and Ammunition -- House Judiciary Committee

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**\*House Bill No. 2567** -- Tennessee Wildlife Resources Agency -- Caption Bill Held on House Desk

**\*House Bill No. 2568** -- Pharmacy -- Caption Bill Held on House Desk

**\*House Bill No. 2569** -- Physicians and Surgeons -- Caption Bill Held on House Desk

**\*House Bill No. 2570** -- Criminal Offenses -- Caption Bill Held on House Desk

**\*House Bill No. 2571** -- Environmental Preservation -- Caption Bill Held on House Desk

**\*House Bill No. 2572** -- Alcoholic Offenses -- House State & Local Government Committee

**\*House Bill No. 2573** -- Smoking -- House Agriculture Committee

**\*House Bill No. 2574** -- TennCare -- Caption Bill Held on House Desk

**House Bill No. 2575** -- Medicine, Practice of -- House Health & Human Resources Committee

**House Bill No. 2576** -- Medicine, Practice of -- House Health & Human Resources Committee

**\*House Bill No. 2577** -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee

**\*House Bill No. 2578** -- County Officers -- House State & Local Government Committee

**House Bill No. 2579** -- State Employees -- House Conservation & Environment Committee

**\*House Bill No. 2580** -- Attorneys at Law -- Caption Bill Held on House Desk

**\*House Bill No. 2581** -- Taxes, Gasoline, Petroleum Products -- House Government Operations Committee

**\*House Bill No. 2582** -- Collection Agencies -- Caption Bill Held on House Desk

**House Bill No. 2583** -- Physicians and Surgeons -- House Government Operations Committee

**\*House Bill No. 2584** -- Medical Occupations -- Caption Bill Held on House Desk



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**\*House Bill No. 2585** -- Medical Occupations -- Caption Bill Held on House Desk

**\*House Bill No. 2586** -- Insurance, Health, Accident -- Caption Bill Held on House Desk

**\*House Bill No. 2587** -- Insurance, Health, Accident -- Caption Bill Held on Desk

**\*House Bill No. 2588** -- Managed Care Organizations -- Caption Bill Held on House Desk

**\*House Bill No. 2589** -- Insurance, Health, Accident -- Caption Bill Held on House Desk

**\*House Bill No. 2590** -- Insurance, Health, Accident -- Caption Bill Held on House Desk

**\*House Bill No. 2591** -- Highway Signs -- House Transportation Committee

**\*House Bill No. 2592** -- Surplus Property -- House State & Local Government Committee

**\*House Bill No. 2593** -- Highway Signs -- House Transportation Committee

**\*House Bill No. 2594** -- Taxes, Real Property -- House State & Local Government Committee

**House Bill No. 2595** -- Pensions and Retirement Benefits -- House State & Local Government Committee

**House Bill No. 2596** -- Evidence -- House Judiciary Committee

**\*House Bill No. 2597** -- State Prisoners -- Caption Bill Held on House Desk

**\*House Bill No. 2598** -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee

**\*House Bill No. 2599** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

**House Bill No. 2600** -- Securities -- House Commerce Committee

**\*House Bill No. 2601** -- Consumer Protection -- Caption Bill Held on House Desk

**House Bill No. 2602** -- Employees, Employers -- Caption Bill Held on House Desk

**House Bill No. 2603** -- Criminal Procedure -- House Judiciary Committee

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**House Bill No. 2604** -- Food and Food Products -- House Agriculture Committee

**\*House Bill No. 2605** -- Election Laws -- House Education Committee

**House Bill No. 2606** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

**House Bill No. 2607** -- Taxes, Income -- House Finance, Ways & Means Committee

**House Bill No. 2608** -- Medicaid and Medicare -- Caption Bill Held on House Desk

**House Bill No. 2609** -- Highways, Roads and Bridges -- House Transportation Committee

**House Bill No. 2610** -- Insurance, Fire and Casualty -- House Commerce Committee

**House Bill No. 2611** -- Historical Commission -- House Conservation & Environment Committee

**House Bill No. 2612** -- Aged Persons -- House Health & Human Resources Committee

**House Bill No. 2613** -- Taxes, Agricultural and Open Spaces -- House State & Local Government Committee

**House Bill No. 2614** -- Highway Signs -- House Transportation Committee

**House Bill No. 2615** -- Teachers -- House Education Committee

**House Bill No. 2616** -- Education, Higher -- House Education Committee

**House Bill No. 2617** -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee

**House Bill No. 2618** -- Schools, Private and Charter -- House Education Committee

**House Bill No. 2619** -- Tennessee Higher Education Commission -- House Education Committee

**House Bill No. 2620** -- Teachers -- House Education Committee

**House Bill No. 2621** -- Taxes, Inheritance Gift -- House Finance, Ways & Means Committee

**House Bill No. 2622** -- Education -- House Education Committee

**\*House Bill No. 2623** -- Highway Signs -- House Transportation Committee

### REPORTS FROM STANDING COMMITTEES

The committees that met on **January 27, 1998**, reported the following:

#### GOVERNMENT OPERATIONS

The Government Operations Committee recommended that House Bill No 2124 be transmitted to Health & Human Resources, House Bill No. 2089 to Education and House Bill No. 2133 to Transportation.

### REPORTS FROM STANDING COMMITTEES

The committees that met on **January 28, 1998**, reported the following:

#### JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2232. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 2078, also House Bill(s) No(s). 2093 and Senate Joint Resolution(s) No(s).349 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### CONSENT CALENDAR

**House Joint Resolution No. 469** -- Memorials, Professional Achievement - Methodist Medical Center of Oak Ridge, Governor's Tennessee Quality Award. by \*Caldwell.

**House Joint Resolution No. 470** -- Memorials, Professional Achievement - Connie Smith, 1997 Tennessee Vocational Education Teacher of the Year. by \*Wood.

**House Joint Resolution No. 471** -- Memorials, Death - Inez Davis Carraway. by \*Pleasant, \*Haley, \*Hargett.

**House Joint Resolution No. 473** -- Memorials, Death - Mike Stiles. by \*Williams (Williamson).

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....95  
Noes.....0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Vacant, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

## REGULAR CALENDAR

**\*House Bill No. 1778** -- Tort Liability - Enacts "Amusement Operator Safety and Liability Act." Amends TCA Title 29, Chapter 34. by \*Patton. (SB1902 by \*Crowe)

Further consideration of House Bill No. 1778, previously considered on May 22, 1997, and reset to today's Calendar.

On motion of Rep. Patton, **House Bill No. 1778** was withdrawn from the House.

## UNFINISHED BUSINESS

### RULES SUSPENDED

Rep. L. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 486 out of order, which motion prevailed.

**House Joint Resolution No. 486** -- Memorials, Death - Ethel Venon. by \*DeBerry L, \*Bowers, \*Miller L, \*Towns, \*Brooks, \*Kent, \*Kernell, \*DeBerry J, \*Haley, \*Hassell, \*Walley, \*Turner (Shelby), \*Jones U (Shelby), \*Armstrong, \*Arriola, \*Beavers, \*Bird, \*Bone, \*Boner, \*Boyer, \*Brown, \*Buck, \*Burchett, \*Caldwell, \*Chumney, \*Clabough, \*Cole (Carter), \*Cole (Dyer), \*Cooper B, \*Cross, \*Curtiss, \*Davidson, \*Davis R, \*DeBerry L, \*Dunn, \*Eckles, \*Ferguson, \*Ford S, \*Fowlkes, \*Fraley, \*Garrett, \*Givens, \*Godsey, \*Goins, \*Gunnels, \*Halteman Harwell, \*Hargett, \*Hargrove, \*Head, \*Hicks, \*Hood, \*Huskey, \*Jackson, \*Jones, S., \*Kerr, \*Kisber, \*Langster, \*Lewis, \*Maddox, \*McAfee, \*McDaniel, \*McDonald, \*McKee, \*McMillan, \*Mumpower, \*Naifeh, \*Newton, \*Odom, \*Patton, \*Phelan, \*Phillips, \*Pinion, \*Pleasant, \*Pruitt, \*Rhinehart, \*Ridgeway, \*Rinks, \*Ritchie, \*Roach, \*Robinson, \*Sands, \*Sargent, \*Scroggs, \*Sharp, \*Stamps, \*Stulce, \*Tidwell, \*Tindell, \*Turner (Hamilton), \*Walker, \*West, \*Westmoreland, \*White, \*Whitson, \*Windle, \*Winningham, \*Wood.

**WEDNESDAY, JANUARY 28, 1998 -- FIFTY-EIGHTH LEGISLATIVE DAY**

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. L. DeBerry, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes ..... 96  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Vacant, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**BILLS WITHDRAWN**

On motion of Rep. Rinks, **House Joint Resolution No. 481** was withdrawn from the House.

On motion of Rep. Newton, **House Bill No. 18** was recalled from the State & Local Government Committee and withdrawn from the House.

On motion of Rep. Newton, **House Bill No. 544** was recalled from the Transportation Committee and withdrawn from the House.

On motion of Rep. Newton, **House Bill No. 575** and **580** were recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Davis, **House Bill No. 2213** was withdrawn from the House.

**ENGROSSED BILLS  
January 28, 1998**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 469, 470, 471, 473 and 486.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ROLL CALL**

Present.....96

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Vacant, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

**RECESS MOTION**

On motion of Rep. Hargrove, the House recessed until 9:00 a.m., Thursday, January 29 , 1998.